

REMARKS/ARGUMENTS

AMENDMENTS TO THE CLAIMS

Applicants thank the Examiner for discussing this application with their undersigned agent in the telephone interviews on October 7, 2003 and November 18, 2003. Applicants make those interviews of record herein. It is applicants' understanding that the Examiner 1) will allow claims 10-12 and 36-37 upon amendments; and 2) has not allowed claims 1-9, 13-35 and 38. The Examiner has also rejoined the subject matter in Group II (claims 6, 7 and 14) to Group I.

The Examiner has suggested amendments to claims 10-12 and 36-37 submitted in the May 20, 2003 Reply to Final Office Action. Applicants have amended claims 10 and 12 as suggested by the Examiner. Specifically, applicants have amended step b) of claim 10 to reflect that the introduction of the DNA sequence is under conditions that allow expression of 2-DOG-6-P phosphatase. Applicants have also amended claims 10 and 12 to improve their form as suggested by the Examiner. Added claims 39 and 40 recite the subject matter of non-entered claims 36 and 37, respectively, and also incorporate the suggestions made by the Examiner to those claims.

Applicants have also amended claims 2-4, 7, 11-12 and 21-24 to depend from claims 10 or 39. Applicants have added claim 41 to recite the subject matter formerly recited

in claim 10. Applicants have also amended claim 10 to replace "on a media containing a non-metabolizable analogue of glucose" with "on a medium containing an analogue of glucose which inhibits cell growth, and when phosphorylated, is a substrate of 2-DOG-6-P phosphatase." This amendment adds a specific functional recitation, which conforms with the suggestion to claim 10 by the Examiner in the March 25, 2003 Office Action. Added claim 39 also includes the above recitation. Support for this amendment can be found, for example, on page 8, lines 18-25, page 10, lines 1-2 and 9-15, and page 20, lines 7-10 of the substitute specification.

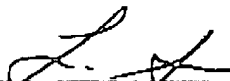
Applicants have canceled claim 20 without prejudice. Applicants reserve the right to file for and obtain claims directed to the subject matter of this claim in a continuing or divisional application, claiming priority and benefit herefrom.

Amdt. dated November 20, 2003
Response to May 20, 2003 Office Action.

CONCLUSION

Applicants request that the Examiner enter the forgoing amendments, withdraw the rejections and allow the pending claims to issue. To expedite prosecution, the Examiner is invited to telephone the undersigned to discuss any matter that may be resolved over the telephone.

Respectfully submitted,



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